

MODIFIED PLAGIARISM.

READ BEFORE

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BY CLARK JILLSON.



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MODIFIED PLAGIARISM.

Plagiarism, as defined by Walpole, means literary larceny. Like many other offences it may be committed without malice or evil intent; but it is liable to appear to have been committed when the person accused is absolutely unconscious of having imitated the literary productions of others. Acts performed and words spoken by those with whom we associate, after being conveyed to the mind through the medium of the senses, continue to vibrate the mysterious tissues of thought till they become a part of our own nature, and impel us to imitate what others have said or done, unaware of the trespass we commit.

It is true that one of the most potent elements in human nature is that of imitation. It is the foundation upon which habit is erected, and is so intricately woven into the character of man as to become the pioneer of his destiny. It sometimes gains control over the entire individual in such an imperceptible way as to banish all suspicion, even in his own mind, that he is being led instead of leading, thereby making him the supposed possessor of abilities not his own. The minds of men are so empty of common sense and so full of crude imitation, that the time spent in searching for precedents swallows up the lives of men, leaving no sign to indicate their individuality. In these days of special reform and spasmodic economy, education, morals, and even spiritual food, must be cheap to be satisfactory.

But it requires no extensive scope of mental vision to enable the average citizen to find it cheaper to rely upon the opinion of others than to furnish room for one of his own. The Lawyer devotes his time to the permeation of libraries and law reports to obtain the scent of some friendly decision, expecting to control the court and jury by the shadow of sustained verdicts, rendered generations ago, in what he conceives to have been similar cases; and all this labor is performed for the reason that he has found it cheaper and safer to follow the lead of a judicious guide than to venture upon unknown seas without a pilot more skilful than himself. The Physician well knows that the result of long experience and research may be found in works upon medical jurisprudence, and his own judgment is allowed to languish while he applies the same remedies to the same diseases in name, though they may as widely differ as the systems upon which they act. The Minister of the gospel, in his zeal to imitate the prophets, apostles and martyrs, clings to the ancient

theological landmarks with such confiding tenacity as to lose sight of the necessities of the hour, and waste his time and himself on the dead issues of eighteen hundred years ago.

The man of letters is no less a slave to kindred allurements; and while he tries to avoid imitation, the knowledge of what exists is to him a complete index of what is to be, in spite of himself. The circle he describes during his day and generation, if larger and brighter than any previously made, is so near like them as to bewilder those who attempt to follow, leaving a doubt as to whose orbit his course is most inclined.

Thus the generations pass; and the progress incited by imagination and hope, is held in perpetual check by the delusive satisfaction which imitation supplies; but the nearer we become masters of this art the farther we are likely to stray from ourselves, for it requires less ability to copy than to originate; and when the work of another is resorted to and adopted as our own, we become the reflector of that which we are unable to create.

As we generally understand this subject, there can be no imitation without the existence of something to imitate; but there is a kind of imitation that comes of the similarity of different minds, causing persons far distant from each other to entertain the same thought, expressed in nearly the same language, at or about the same time, which ought to condone all supposed malicious intent in such cases. But, unless the facts are all known, there is at least a presumptive suspicion that one thought or expression suggested the other; and such suspicion seems to be confirmed when any considerable time has elapsed between them, especially if the public has had access to the first. But when we are about to compare two expressions, the first of which is found to be of a high order of excellence, it is reasonable to presume that the second, or what we call the imitation, unless drawn by a "most eminent hand," will bear the mark of "counterfeit" upon it, so plainly stamped as to be recognized by the most indifferent observer.

To illustrate this subject more fully, I propose to call attention to one of the most remarkable cases on record. It is that of two Poems, both bearing the same title, written in New England, one in Worcester county. Both were over fictitious signatures, one of the names of each pretended author being the same, with two years between the dates of their publication. They were both upon the same subject, and commenced with the same word. Each contained the same number of lines, closing with the same word; and one line of each was the same as one line of the other, their resemblance in many other respects being very striking; but with all these synonymes, both of these poems possess a marked and distinct identity, though one has remained in obscurity up to the present hour, while the other is known wherever the English language is spoken.

It may not be out of place or uninteresting to give a more definite history of these two productions. On the 15th day of August, 1857, there appeared in the Springfield Daily Republican, a poem entitled "Over the River," purporting to be original, but bearing the fictitious signature of "Lizzie Lincoln," of Hinsdale, N. H. It was an unusual contribution; and for the purpose of making comparison with a less fortunate effort, it may not be beyond the outline of propriety to quote the entire poem, which reads as follows:—

OVER THE RIVER.

Over the river they beckon to me,—
Loved ones who've crossed to the further side;
The gleam of their snowy robes I see,
But their voices are lost in the dashing tide.
There's one with ringlets of sunny gold,
And eyes, the reflection of heaven's own blue;
He crossed in the twilight, gray and cold,
And the pale mist hid him from mortal view;
We saw not the angels who met him there,
The gates of the city we could not see,—
Over the river, over the river,
My brother stands waiting to welcome me!

Over the river the boatman pale
Carried another, the household pet;
Her brown curls wave in the gentle gale,
Darling Minnie! I see her yet.
She crossed on her bosom her dimpled hands,
And fearlesly entered the phantom bark,

We felt it glide from the silver sands,
And all our sunshine grew strangely dark;
We know she is safe on the further side,
Where all the ransomed and angels be;
Over the river, the mystic river,
My childhood's idol is waiting for me.

For none return from those quiet shores,

Who cross with the boatman cold and pale;

We hear the dip of the golden oars,

And catch a gleam of the snowy sail;

And lo! they have passed from our yearning hearts,

They cross the stream and are gone for aye.

We may not sunder the veil apart,

That hides from our vision the gates of day.

We only know that their barks no more

May sail with us o'er life's stormy sea;

Yet somewhere I know on the unseen shore

They watch, and beckon, and wait for me.

And I sit and think when the sunset's gold
Is flushing river and hill and shore,
I shall one day stand by the water cold,
And list for the sound of the boatman's oar;
I shall watch for a gleam of the flapping sail,
I shall hear the boat as it gains the strand,
I shall pass from sight with the boatman pale,
To the better shore of the spirit land;
I shall know the loved who have gone before,
And joyfully sweet will the meeting be,
When over the river, the peaceful river,
The Angel of Death shall carry me.

This was a remarkable piece of composition, and it is no wonder that such words, arranged in such harmonious proximity, should call forth a willing response from the great fountain of human affection.

Its exquisite conception, its complete and delicate finish, its touching sentiment, full of electrified tenderness, together with the overshadowing mystery of its origin, at once attracted attention in literary circles. It touched the tender sensibilities of many a heart stricken with grief. It received a liberal greeting from the sentimental element in the nature of man. It rung its harmonious changes upon the unseen fibres that connect the material world with all the splendor imagination can picture or human intellect conceive of the spiritual; and its melody swept through the chambers of the soul like the enchanting murmur of a receding echo. It is not strange that persons of culture and refinement were charmed with its beauty, nor is it a wonder that eminent writers were auxious to discover the author.

When the authorship was disclosed, and it was found that this famous poem had been written by a factory girl but twenty years of age, on a piece of brown paper, as she sat at a window overlooking Miller's river, in the quiet town of Winchendon, Mass., much surprise was expressed by those who had been taught that a college course was the only avenue to fame. This production was not considered of much consequence by the writer, and was lost sight of for more than a year, but finally recovered from a quantity of rubbish and sent to Springfield for publication. It undoubtedly met the eye of Dr. Holland, which was enough to secure its publication in a widely circulated journal.

The world is jealous of genius; and those who exhibit none in their own natures, are generally at war with its existence; but in this case it had to be admitted, for the time being, that Miss Nancy A. W. Priest was the author of "Over the river," and those who claimed that genius had nothing to do with it, were not the ones to discover a better or more reasonable cause for such an effort.

At this point it may be well to recognize the fact that another person has requested to be known as the author of this poem, and examine the evidence in relation thereto, before we permit the claim of Miss Priest to become established beyond all doubt; but no violent invasion of her asserted rights should be allowed, nor any other claimant heard except upon the most reliable and convincing testimony.

For more than two years I was engaged in trying to find a poem similar to the one claimed by Miss Priest, which I was confident of having read previous to 1857, in some newspaper, but could not call to mind the name of the paper, or when or where it had been read. A large number of newspaper files were examined, and among others the Boston "True Flag," where was found in the issue of July 7, 1855, a poem entitled "Over the river," which was at once recognized as the one I had read during the week of its publication, two years before the appearance of the one claimed by Miss Priest. This poem is far superior to the other in some respects, but taken as a whole is perhaps not its equal.

Those who read it will fail to discover why it was allowed to remain in obscurity while the other was circulated far and wide. It was sent to the True Flag from Northampton, Mass., over the supposed fictitious signature of "Mira Lizzie Donelson," and soon after the poem of Miss Priest appeared this person addressed a letter to the editor of the Flag claiming its authorship and expressing a desire to have printed a statement in relation to its previous publication; but the fear of controversy precluded this simple act of justice, and a meritorious author was thus overshadowed by circumstances and deprived of a prominent position in the world of letters.

Although the real name of this author has never been disclosed, the poem itself bears the touch of genius, and emits the light and beauty of a cultivated intellect, a refined taste, a reverence for the sublime, made radiant by the skilful hand of one who had the power to crystalize emotion into words.

This poem stands to-day as it did in 1855, and if any of our modern writers, distinguished or otherwise, feel competent to produce a more perfect one upon the same subject, a trial will be in order, and fame will follow success; but those who shrink from the task must use their own judgment as to whether the humble factory girl had the courage to deliberately attempt to improve this elegant production, and then call it her own.

If she had never seen it there is nothing very strange about her effort, for the power that inspired

the first might also have inspired the second; but if she had the poem of 1855 before her with a view to improve it, her success was certainly wonderful; and the courage she displayed in disclosing her real name as the author of "Over the River," if she knew it had before been printed, was of a bold and reckless nature, not in harmony with the characteristics of her life.

For the purpose of showing what is now known to have been in existence, printed long before Miss Priest wrote her poem, it may be well to present the language of "Mira Lizzie Donelson" printed in the Boston True Flag in July, 1855. Culture, genius, experience, inspiration, perhaps all these combined, are mysteriously blended in this production, and yet the author is to-day unknown.

OVER THE RIVER.

Over the river, over the river—
The river silent and deep,
When the boats are moored on the shadow-shore,
And the waves are rocked to sleep.
When the mists so pale, like a bridal veil,
Lie down on the limpid tide,
I hear sweet sounds in the still night time,
From the flowing river's side;
And the boat recedes from the earthly strand,
Out o'er the liquid lea—
Over the river, the deep, dark river,
My darlings have gone from me.

Over the river, over the river,
Once, in summer time,
The boatman's call we faintly heard,
Like a vesper's distant chime;
And a being fair, with soft dark hair,
Paused by the river's side
For the snowy boats with the golden oars,
That lay on the sleeping tide;
And the boatman's eyes gazed into hers,
With their misty dream-like hue—
Over the river, the silent river,
She passed the shadows through.

Over the river, over the river,
Scarce fifteen moons ago
Went a pale, young bride, with fair slight form,
And a brow as pure as snow;
And music low, with a silver flow,
Swept down from the starry skies,
As the shadows slept in her curling hair,
And darkened her twilight eyes.
Still the boat swept on to the spirit shore,
With a motion light and free—
Over the river, the cold, death river,
My sister has gone from me!

Over the river, over the river,
When the echoes are asleep,
I hear the dip of the golden oars,
In the waters cold and deep;
And the boatman's call, when the shadows fall,
Floats out on the evening air,*
And the light winds kiss his marble brow,
And play with his wavy hair;
And I hear the notes of an angel's harp,
As they sweep o'er the liquid lea,—
Over the river, the peaceful river,
They are calling—calling for me!

The origin of this poem is not very essential, unless it should appear to have been written by Miss Priest, and that the other was a revision by the same hand, which is not probable. It is enough, however, for the present, to know that it is a production of no ordinary merit, published in July, 1855, two years before the one claimed by Miss Priest, and bearing a very strong resemblance to it, as will readily be seen upon comparison.

Both authors being residents of the same State at the time the poems were written, it is not unreasonable to infer that the one who wrote the last had seen the one printed two years before; but the fact that the second is not a copy of the first, except in one line, would naturally raise the presumption that no deliberate attempt had been made to copy the poem of Mira Lizzie Donelson.

When my attention was first called to this subject, by remembering that I had read both of these poems, it appeared to be a clear case of Plagiarism, but upon more mature reflection I am of opinion that both were original, emanating from similar minds, inspired by the same subject.

Taking this view of the matter, we are relieved from all mystery connected with it, except the similarity of language and the fact that they are the only efforts of these authors worth mentioning, though both were contributors to several publications. But the fact that they never wrote anything else to attract public attention should not weigh against either, except so far as it tends to show that one borrowed from the other with malicious intent to commit literary larceny.

Others have made themselves famous by a single effort, but there is not another instance on record where two articles of so much merit have been presented before the public under such circumstances. Charles Wolfe is known to the literary world only by virtue of his "Burial of Sir John Moore;" John Howard Payne, by his "Home, sweet home;" Thomas Gray, by his "Elegy written in a country churchyard;" Samuel Woodworth, by his "Old oaken bucket," and James W. Watson, by his "Beautiful snow."

The similarity of these poems, in phraseology and general construction, is so striking as to excite suspicion even in those who are not inclined to criticism; and when the person who wrote the last one is accused of Plagiarism, the evidence from the poem itself is so overwhelming that few would look for palliation, or attempt to set up the slightest excuse.

But before we condemn Miss Priest, let us consider the origin of both these productions, and if it appears that the same attribute which inspired one could dwell in two persons, it will not be out of place to assume that while all the elements of Plagiarism are prominent, they may have been so modified by circumstances as to take away every shadow of malicious intent.

The poetic sentiment exists to a greater or less degree in all human beings; and when two or more

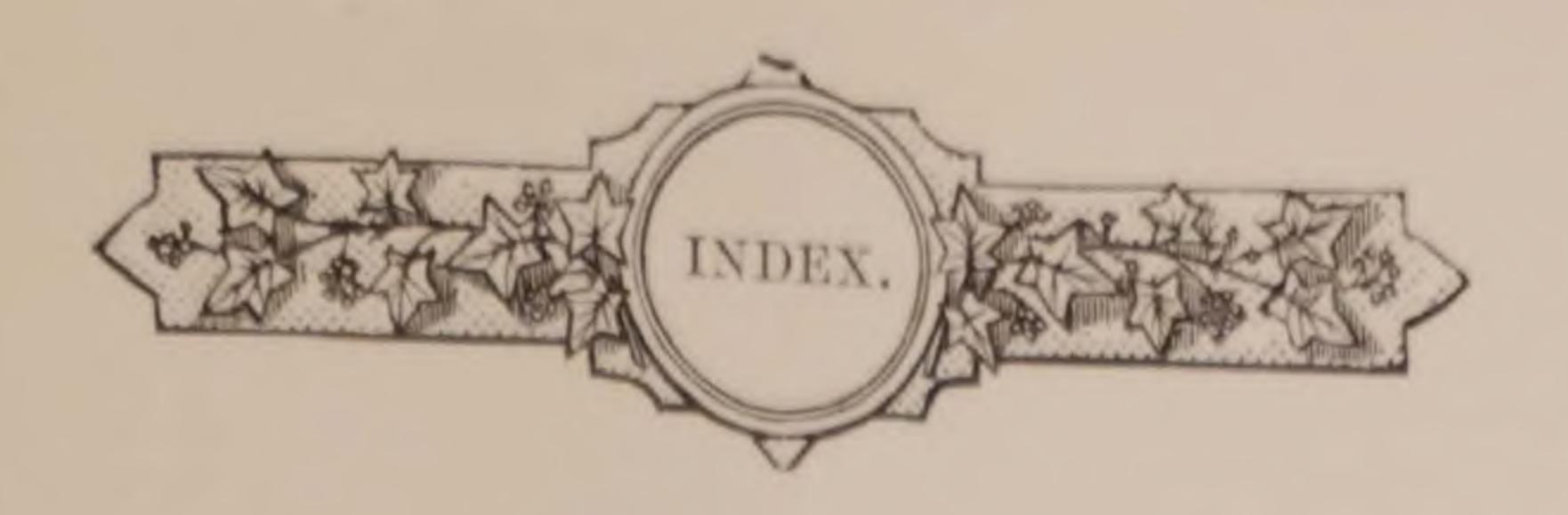
are created nearly equal in this respect, with similar culture and surroundings, it is not strange that they should make similar remarks upon the same subject, but it would be a wonder if they were entirely unlike, so that no charge of larceny could be prefered. It is not uncommon for persons hundreds of miles apart to invent the same thing, and these cases are so numerous as to make it necessary to decide them by priority, and award the invention to him who first brought it to notice; but the last inventor in point of time deserves equal credit with the first.

Under this rule, construed and applied in a liberal spirit, while we are obliged to admit that Mira Lizzie Donelson was the original author of "Over the river," fair dealing will accord the same merit to Miss Priest, and perhaps the additional one of producing a more finished piece of composition. However this may be, no stain ever rested upon her private life, and whoever seriously and honestly undertakes to convict her of a wrongful appropriation of the literary work of another, will require more evidence than has yet been discovered.

The original author of the first poem is still unknown, but Miss Priest, several years after her poem was written, became Mrs. A. C. Wakefield, and in 1870, at the age of thirty-six, she trustingly went

"To the better shore of the spirit land."





Acts performed, part of our nature, 3.
Ancient landmarks, kept in view, 5.
Author, name of, 10.
Author, name of, not disclosed, 11.
Author of poem, original, 16.
Author, writers anxious to find, 9.
Authors, both lived in same State, 14.
Authors, only efforts of, 14.
Authorship disclosed, 9.

F

Beautiful Snow, 15.
Boston True Flag, poem found in, 10.
Both poems, signatures fictitious, 6.
Bucket, Old Oaken, 15.
Burial of Sir John Moore, 15.

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Church-yard, Elegy written in, 15.
College course, an avenue to fame, 9.
Common sense, minds wanting, 4.
Condone malicious intent, 5.
Contribution, an unfortunate effort, 7.
Convincing testimony, 10.
Counterfeit, the mark of, 6.
Crude imitation, minds filled with, 4.
Crystalize, the power to, 11.

T

Daily Republican, Springfield, 7.
Decide, necessary to by priority, 16.
Decision, scent of, 4.
Definite, history of, 7.
Deliberately attempt, courage to, 11.
Donelson, Mira Lizzie, 11, 12, 14, 16.

E

Each, like the other, 6. Echo, a receding, 9. Edition of True Flag, 11. Effort, famous by a single, 15.
Element in human nature, potent, 3.
Effort, nothing strange about, 11.
Eighteen hundred years ago, 5.
Evidence, more required, 16.
Eminent hand, a most, 6.
Existence, at war with its, 10.
Experience, result of, 4.

F

Factory girl, age of, 9; poem written by, 9; her courage, 11.

Finish, delicate and complete, 9.

Files, newspaper, examined, 10.

First, not copy of second, 14.

First poem, author of unknown, 16.

Flag, Boston True, 10, 11, 12.

Flag, letter to editor of, 11.

Food, spiritual, 4.

G

Generations, thus pass the, 5. Genius, the world jealous of, 10. Genius, touch of, 11. Gray, Thomas, 15.

Н

Hinsdale, New Hampshire, 7.
Hinsdale, Lizzie Lincoln of, 7.
Holland, Dr. Josiah Gilbert, 9.
Home, sweet home, 15.
Howard Payne, John, 15.

T

Individuality, no sign of left, 4.
Imitation, a potent element, 3.
Imitation, the pioneer of destiny, 3.
Imitate, Nature compels us to, 3.
Index, to him a complete, 5.
Inspiration, mysteriously blended, 12.

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James W. Watson, 15.

Journal, a widely circulated, 9.

Judgment, allowed to languish, 4.

Judicious guide, lead of, 4.

Jury, the court and, 4.

Jurisprudence, medical, 4.

K

Kindred allurements, a slave to, 5.

L

Labor, performed for what reason, 4
Landmarks, theological, 5.
Larceny, literary, meaning of, 3.
Larceny, literary, intent to commit, 15
Last inventor, the, 16.
Law reports, for what consulted, 4.
Lawyer, how employed, 4.
Letters, the man of, 5.
Libraries, permeation of, 4.
Lincoln, Lizzie, 7.

M

Malicious intent to commit larceny,
15; how condoned, 5.

Martyrs, apostles and prophets, 4.
Medical jurisprudence, works on, 4.
Merit, two articles of, 15.
Meritorious author overshadowed, 11.
Miller's river, 9.
Mind, conveyed to the, 3.
Minister, of the gospel the, 4,
Mira Lizzie Donelson, 11, 12, 14, 16.
Miss Priest, 10, 11, 12, 14, 15, 16.
Moore, Sir John, 15; burial of, 15.
Murmur, enchanting, 9.

N

Nancy, Priest, A. W., 10.
Nature, a part of, 3.
Nature, human, elements in, 3.
New England, poems written in, 6.
Newspaper files, large number of, 10.
Newspaper, read previous to 1857, 10.
Northampton, poem sent from, 11.

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Oaken Bucket, the old, 15. Order, a high excellence of, 6. Others, impelled to imitate, 3. Others, opinion of, 4.
Others, cheaper to rely upon, 4.
Outline of propriety, beyond the, 7.
Over the river, 7, 8, 10, 12, 13, 16.

P

Paper, name of not remembered, 10,
Payne, John Howard, 15.
Physician, what he knows, 4.
Plagiarism, 3, 14, 15.
Plagiarism, modified, 3.
Poem, author of the first, 16.
Poem, entire quoted, 7.
Poem, origin of not essential, 14.
Poem, sent to Springfield, 9; written
in Worcester County, 6.

Poems, two bearing same title, 6.

Present hour, up to the, 6.

Precedents, time spent in searching

Priest, Nancy Amelia Woodbury, 10, 11, 12, 14, 15, 16; her age, 16. Printed, when, 12. Production, attempt to improve, 11.

Production, mysteriously blended in, 12. Prophets, zeal to imitate, 4. Proximity, harmonious, 8.

Proximity, harmonious, 8.

Public, presented before the, 15.

Publication, enough to secure its, 9.

Publications, contributors to, 14.

Q

Quoted, entire poem, 7.

R

Real name of author, 11.
Reckless nature, 12.
Remain, allowed to in obscurity, 11.
Remarkable piece of composition, 8.
Republican, Springfield daily, 7.
Resemblance, striking, 6.
Residence of both authors, 14.
Reverence for the sublime, 11.
Rights, asserted, 10.
River, Miller's, 9.
River, over the, 7, 8, 10, 12, 13, 16.
Rubbish, a quantity of, 9.

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Same subject, inspired by, 14. Same time, at or about, 5. Samuel Woodworth, 15.

Senses, through the medium of, 3. Sensibilities, the tender touched, 9. Shadow of malicious intent taken Unable to create what we reflect, 5.

Signature, fictitious, 7. Sir John Moore, burial of, 15. Snow, Beautiful, 15. Spiritual, the, 9. Springfield Daily Republican, 7. Springfield sent to, 9, Stricken, many a heart with grief 9. Subject, two inspired by the same, 14. Sublime, a reverence for the, 11. Supposed possession of abilities, 4. Suspicion confirmed, 6. Systems widely differ, 4.

Theological landmarks, ancient, 4, 5. Thirty-six, died at the age of, 16. Thomas Gray, 15. Tissues of though vibrated, 3. Touching sentiment, 9. Trespass by imitation, 3. Trial in order, 11. Two productions, history of, 7.

Unaware, trespass committed, 3. Upon unknown seas, without pilot, 4. Upon same subject, two poems, 6. Unknown, author is to-day, 12, 16.

Violent invasion, not allowed, 10.

Wakefield, Mrs. A. C., 16. Walpole, Horace, 3. Watson, James W., 15. Winchendon, Mass., Town of, 9. Wolfe, Charles, 15, Woodworth, Samuel, 15, Worcester, County of, 6.

Yearning hearts, they have passed from, 8.

Zeal to imitate the prophets, 4.

